

ITEM #: 40
DATE: 09-13-16

COUNCIL ACTION FORM

**REQUEST: REVISED PRELIMINARY PLAT FOR THE IRONS SUBDIVISION
AT AMES GOLF AND COUNTRY CLUB**

BACKGROUND:

The Ames Golf and Country Club (AGCC) received conditional City Council approval of a preliminary plat for The Irons on June 14, 2016. The Irons is a 35-lot subdivision with 34 lots for new homes and 1 lot for the AGCC. The Irons is located within the North Allowable Growth Area and it is also in the Rural Transitional Residential Area of the Ames Urban Fringe Plan. The project design standards, therefore, are a combination of Ames and Story County subdivision requirements. On June 28th the Story County Board of Supervisors approved the Preliminary Plat with 35 lots, but that did not include the City's condition for construction of an 8-foot shared use path along 190th Street. **For the applicant to proceed with the project and receive final plat approval, the developer now requests a revision to the preliminary plat conditions to eliminate the shared use path condition to be consistent with the County's approval.**

At the June 14th meeting, the City Council initially approved the preliminary plat with 31 residential lots and no residential lots along 190th with a 6-0 vote that was later reconsidered and replaced with a motion to approve 34 residential lots with the 3 lots along 190th Street. The latter motion passed with a 5-1 vote. With the approval of the 34 residential lots, the City Council granted certain waivers in regards to subdivision standards for the lots with access to 190th Street and for construction of a 5-foot sidewalk along the full length of 190th Street. **As a condition of those waivers, City Council added a specific condition for construction of an 8-foot shared use path by the developer along 190th Street in lieu of the sidewalk.** The shared use path along 190th Street would be approximately ½ of a mile. The full list of conditions and requirements approved by City Council with the preliminary plat is as follows:

1. Allow a total of 34 residential lots with three lots on 190th Street and grant design waivers (access, sidewalk, and conservation buffer for 190th) for the frontage along 190th Street.
2. Treat all public improvements treated as if this were in the City, requiring City review of improvement plans, on-site installation inspections, and inspection billing to the developer.
3. Apply for and obtain a City COSESCO permit and be subject to City fees and inspections for storm water.
4. Complete the Xenia Water territory buy-out and territory transfer agreement prior to final plat approval.
5. Complete an agreement prior to final plat approval requiring property owners to abandon Advantex systems, install sewer infrastructure, and connect to City

sanitary sewer when it is brought to the site.

6. Include construction of an 8-foot shared-use path along 190th Street.
7. Increase the shared-use path width along George Washington Carver Avenue from eight feet to ten feet.

The County's engineer reviewed the condition (#6) to add a shared use path along 190th Street and recommended at the time the project was approved by the Board of Supervisors that such an improvement not be part of The Irons project. According to the County's engineer, the placement of a shared-use path on 190th Street is problematic because there is not enough right-of-way to build a SUDAS compliant 8-foot shared use path and retain the carrying capacity of the ditch. The SUDAS compliant design standard for a shared use path would be 5 feet of separation from road and 8 feet of paving for the path. The County Engineer does not believe the ditch can be filled in, since the ditch is needed for subsurface road drainage, longitudinal ditch drainage, and snow storage. This constraint is similar on the north side of the road, so moving the shared-use path to the north is also problematic.

Based upon the County Engineer's feedback, staff explored other alternatives for bike facility improvements beyond the standard 5-foot sidewalk requirement of the Subdivision Code. One alternative is to pave the existing 6-foot gravel shoulder on the south side of 190th Street. This would provide physical space for other travelers along the roadway, but it would not be wide enough to be considered a shared use path and does not have the separation distance from the travelled portion of the roadway to meet SUDAS standards. It could, however, be considered a one-way "bicycle lane," but the south shoulder widening would only be recommended if another bicycle lane were constructed and marked along the north-side of the road. The widened shoulder would also serve the pedestrian public.

Another alternative is to require the installation of a 5-foot sidewalk as required by the Subdivision Code, but allow for deferral. The City Council could grant deferral of the sidewalk with financial security or to make a cash in escrow payment for a future improvement. The owner is reluctant to install this sidewalk within the constraints of the right-of-way (open ditch with slopes) and of private property (configuration of the golf course and proximity of fairways and greens and significant amount of trees that would be impacted). These constraints, presumably, would remain whether the sidewalk would be installed now or at some future moment in time, and may justify the deferral and use of cash in escrow funds for a larger transportation improvement project along 190th Street at some future time.

ALTERNATIVES:

1. The City Council can remove the condition that a shared use path be installed along 190th Street, grant the sidewalk deferral, and require cash-in-escrow from the developer (estimate of \$130,000 to \$150,000) to be used by the City toward a future solution identified for a bicycle facility on 190th Street. This future solution could involve the paving of both shoulders of 190th Street to accommodate one-way

bicycle lanes. This option would require the participation of the City and/or County to complete the entire improvement between George Washington Carver Avenue and Hyde Avenue.

The onetime payment of the cash in escrow would be preferred over an annually updated letter of credit. Letters of credit expire with time and must be renewed, and it would need to be determined if there would be one letter of credit by the AGCC or to also require the individual homeowners to carry a letter of credit. A cash payment would be based on an estimated cost of constructing the 5-foot sidewalk for their ½ mile of frontage with a contingency estimate. Any costs above that estimate, including inflation, would be at the risk of the City. The applicant indicated that this cash in escrow alternative is an acceptable approach but would prefer Alternative 3.

2. The City Council can remove the condition that a shared use path be installed along 190th Street, but require the developer to install the required 5-foot sidewalk along 190th Street.

This option conforms to the Subdivision Code standards, but the developer believes is undesirable due to the constraints of the existing ditch and existing golf course layout.

3. The City Council can remove this condition and allow for the 3 lots along 190th Street without any other condition and grant full waiver of the sidewalk requirement.

This option would allow the three lots on 190th Street to remain (as do the other two options), but without a means of public pedestrian access typically required of other residential subdivisions. It would, however, have a golf cart path access to the course and club house. This is the developer's preferred option due to the cost of the sidewalk and limited connectivity it would provide.

4. The City Council can remove the condition for the installation of the shared use path and waive the sidewalk requirement along 190th Street, but also require the applicant to submit a final plat without the three lots along 190th Street.

Staff's original recommendation was to remove the 3 lots along 190th street and to not grant waivers to the site development standards for the lots. The sidewalk was recommended to be waived due to no development occurring along 190th street.

MANAGER'S RECOMMENDED ACTION:

Staff believes there is a solution to creating a safe bicycle facility on 190th Street with long term planning for an improvement. The solution, however, **may not** be a separated shared-use path within the right-of-way. A joint City-County or MPO project could create bicycle lanes on the shoulders of 190th Street. The City Council could choose to require the developer to participate in the cost of this project as a condition of granting a waiver

for the subdivision standard of a 5-foot sidewalk along 190th Street. However the timing of such an improvement or its cost of implementation is not completely clear at this time.

If the City Council does not require the construction of the 5-foot sidewalk along 190th Street, the Council could also direct the applicant to remove the three lots along 190th Street as a condition of granting a waiver of the 190th Street sidewalk requirement. If a future project were to be constructed by the City or Story County or the developer was able to construct the needed sidewalk in the future, the property owner could then propose a future subdivision to create the three lots along 190th Street.

Therefore, it the recommendation of the City Manager that if the City Council has concerns about the construction feasibility of a sidewalk or bicycle facility along 190th Street, it should choose Alternative #4, which is to remove the three lots along 190th Street and waive the sidewalk requirement at the time of final plat approval.

Alternatively, if there is a preference to allow the three lots, the City Council can choose Alternative #1 and waive the sidewalk standard and require as a condition that the developer contribute an amount equal to the 5-foot sidewalk construction cost for a future shoulder widening project along 190th Street by the City or County.

With the City Council action tonight, the developer will then proceed with completing the conditions of approval of the preliminary plat and prepare a final plat for approval by both the City Council and the Story County Board of Supervisors.

ATTACHMENT A: LOCATION MAP AND SHARED USE PATHS

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Date: Wednesday, September 07, 2016 04:16PM
Subject: The Irons

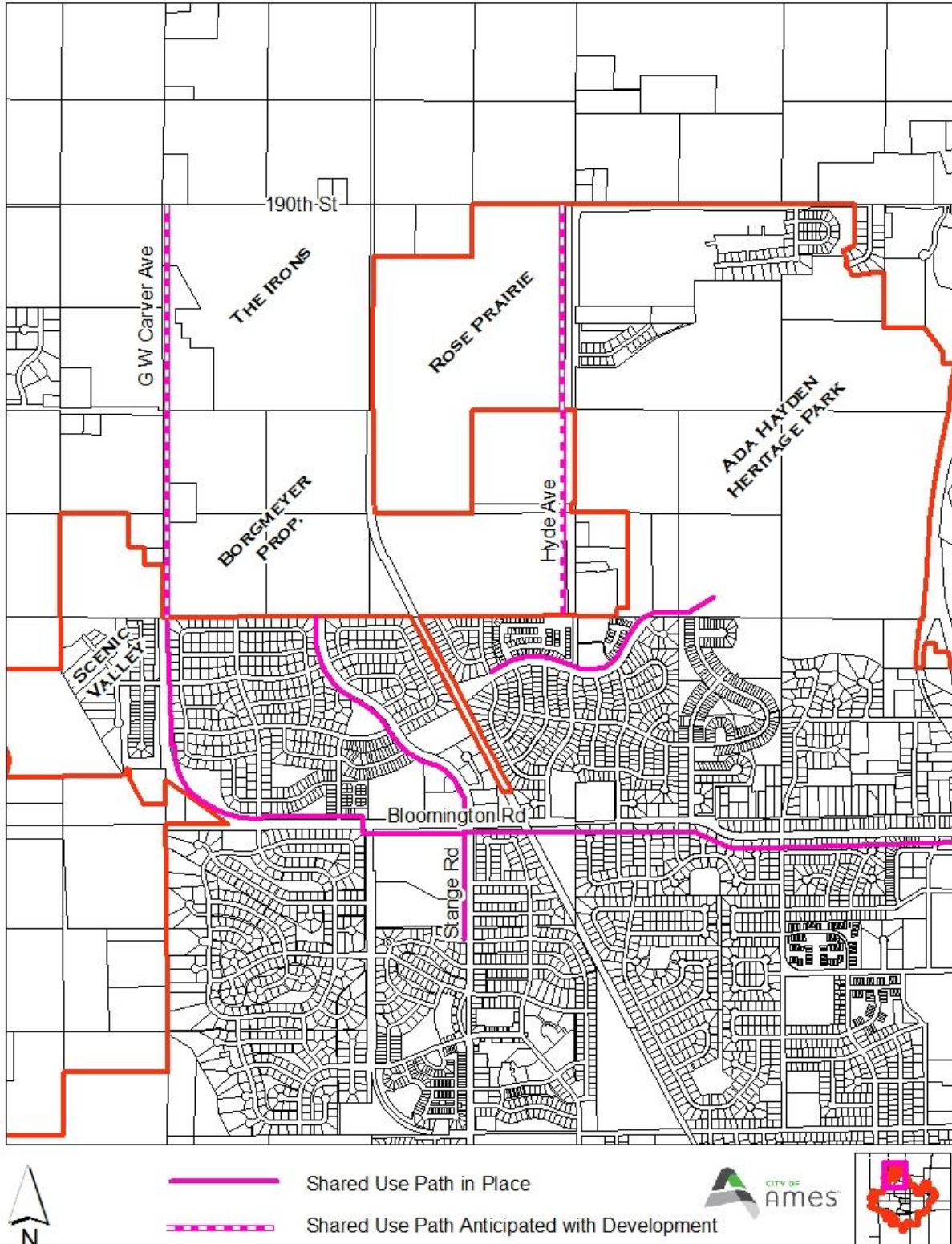
Charlie:

In light of the letter that has been provided by Story County stating the obstacles to constructing a shared use path along 190th Street, Bella Homes and Ames Golf and Country Club herby requests that the City Council reconsider the condition of approval of Final Plat that requires the construction of the path.

We would note that Story County has approved the Preliminary Plat without that condition for Final Plat approval.

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ATTACHMENT B: LOCATION MAP AND SHARED USE PATHS



ATTACHMENT B: PROPOSED DEVELOPMENT LAYOUT

